

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Ross E. Johnson	:	Date: October 30, 2003
Group Art Unit:	Unassigned	:	IBM Corporation
Examiner:	Unassigned	:	Intellectual Property Law
Serial No.:	Unassigned	:	Dept. 917, Bldg. 006-1
Filed:	Herewith	:	3605 Highway 52 North
Title:	ORDERING OF HIGH USE PROGRAM CODE SEGMENTS USING SIMULATED ANNEALING	:	Rochester, MN 55901-7829

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants request that the information listed on the attached Form PTO/SB/08A be considered by the Office during the pendency of the above entitled application, pursuant to 37 C.F.R. §1.97. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not constitute an admission that any information cited therein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b). In the interest of full and complete disclosure to the Office, some or all of the art cited herein may not be considered by Applicant(s) or the Undersigned to be material under the new standard of materiality defined in 37 C.F.R. §1.56(b), enacted March 16, 1992, but may be material under the old standard of materiality defined in 37 C.F.R. §1.56(a), last amended on November 28, 1988, or may merely be technical background which may be of interest to the Examiner. In accordance with

Serial No. Unassigned
Docket No. ROC920030025US1

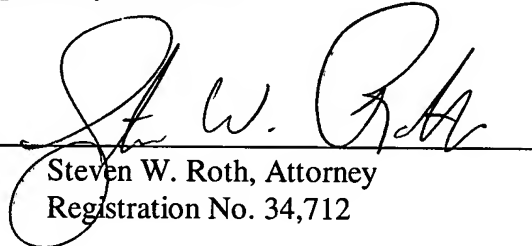
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37 C.F.R. §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

This Information Disclosure Statement is being filed under 37 C.F.R. §1.97(b)(1) within three months of the filing date of the present application. Accordingly no filing fee is required.

Date: October 30, 2003

Respectfully submitted,

By 
Steven W. Roth, Attorney
Registration No. 34,712

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PTO/SB/08A

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Sheet 1 of 1

Application Number.: Unassigned
 Filing Date: Herewith
 First Named Inventor: Johnson
 Art Unit: Unassigned
 Examiner Name: Unassigned
 Attorney Docket Number.: ROC920030025US1

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and or country where published.	T ²
		W. J. SCHMIDT et al., "Profile-Directed Restructuring of Operating System Code," IBM Systems Journal, Vol. 37, No. 2, 1998, pp. 270-297.	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional).

² Applicant is to place a check mark here if English language translation is attached.